

In the Claims:

Claim 1. An isolated polynucleotide having ABC1 promoter activity comprising SEQ ID NO: 3.

Claim 2. An isolated polynucleotide having ABC1 promoter activity comprising nucleotides 1-1532, 1080-1643, 1181-1643, 1292-1643, or 1394-1643, or 1394-1532 of SEQ ID NO: 3.

Claim 3. (Canceled)

Claim 4. (Canceled)

Claim 5. (Canceled)

Claim 6. An isolated polynucleotide having ABC1 promoter activity comprising a nucleotide sequence that is at least 80% identical to the polynucleotide of claim 1 SEQ ID NO: 3.

Claim 7. An isolated polynucleotide having ABC1 promoter activity comprising a nucleotide sequence that is at least 80% identical to the polynucleotide of claim 2 nucleotides 1-1532, 1080-1643, 1181-1643, 1292-1643, 1394-1643, or 1394-1532 of SEQ ID NO: 3.

Claim 8. An isolated polynucleotide that is complementary to the polynucleotide of claim 1.

Claim 9. An isolated polynucleotide that is complementary to the polynucleotide of claim 2.

Claim 10. A composition comprising the polynucleotide of claim 1 and a suitable carrier.

Claim 11. A composition comprising the polynucleotide of claim 2 and a suitable carrier.

Claim 12. A recombinant vector comprising the polynucleotide of claim 1.

Claim 13. A recombinant vector comprising the polynucleotide of claim 2.

Claim 14. A host cell comprising the recombinant vector of claim 12.

Claim 15. A host cell comprising the recombinant vector of claim 13.

Claim 16. The recombinant vector of claim 12, further comprising at least one polynucleotide encoding a heterologous polypeptide.

Claim 17. The recombinant vector of claim 13, further comprising at least one polynucleotide encoding a heterologous polypeptide.

Claim 18. The recombinant vector of claim 16, wherein said heterologous polypeptide is selected from the group consisting of luciferase,  $\beta$ -galactosidase, chloramphenicol acetyl transferase transferase, and green fluorescent protein.

Claim 19. The recombinant vector of claim 18, wherein said heterologous polypeptide is luciferase.

Claim 20. The recombinant vector of claim 19, wherein said vector is pAPR1.

Claims 21-55 (withdrawn)

Add claims 56-59

Claim 56. (New) An isolated polynucleotide having ABC1 promoter activity comprising the polynucleotide of claim 6.

Claim 57. (New) An isolated polynucleotide having ABC1 promoter activity comprising the polynucleotide of claim 7.

Claim 58. (New) A recombinant vector comprising the polynucleotide of claim 56.

Claim 59. (New) A recombinant vector comprising the polynucleotide of claim 57.

Claim 60. (New) An isolated polynucleotide consisting essentially of nucleotides 1394-1532 of SEQ ID NO: 3

Claim 61. (New) A recombinant vector comprising the polynucleotide of claim 60.

Claim 62. (New) An isolated polynucleotide having ABC1 promoter activity that is at least 91% identical to the polynucleotide of SEQ ID NO: 3.

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Claim 63. (New) An isolated polynucleotide having ABC1 promoter activity that is at least 90% identical to nucleotides 1-1532, 1080-1643, 1181-1643, 1292-1643, 1394-1643, or 1394-1532 of SEQ ID NO: 3.